

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated February 9, 2007.

Independent claims 1 and 6 have been amended. Claims 3, 4, 8, and 9 are pending.

In the Office Action the claims are rejected as follows. Claims 1, 4, 6, and 9 are rejected under 35 U.S.C. §102(b) as being anticipated by Howe et al.(Howe) (5,009,065).

Reconsideration is requested.

Claim 1 has been amended and recites a “method for regenerating the filter by spontaneous combustion of particles accumulated in the filter, the method comprising”, *inter alia*, “passing the exhaust gases through a catalyst including during bypassing of the filter; and leading the exhaust gases from the combustion engine past the filter through a valve, located after said catalyst, and opening the valve when the counterpressure in the exhaust gases is above the set level”.

In other words, claim 1 teaches a method of filtering which includes passing exhaust gas through a valve (4) that is located after a catalyst/filter (2). Exhaust gases will only move past the valve (4) when there is a build up of particles in a filter (3). In contrast, Howe teaches an exhaust processor assembly (710), which includes a valve (40) that is located before a filter (32). As such, all exhaust gases entering the exhaust processor assembly (710-Fig. 13) will move past the valve (40), whether or not there is build up in the filter (32).

With reference to Fig. 1 hereof, when there is a normal flow, the exhaust gases flow from the combustion engine, through the silencer inlet (6), into the catalyst/filter (2), into a space (11), into the filter (3), and eventually out the outlet pipe (7). The space (11) is formed between two walls (9 and 10). With reference to Fig. 2, when enough particles have accumulated in the filter (3), a counter pressure exerted from the filter (3) will force the exhaust gases to remain in the space (11), with an eventual build up of pressure of exhaust gases in the space (11) that will force the valve (4), located on a wall (10), to push open into a space located around the filter (3), and the exhaust gases located in the space (11) to move into the space located around the filter (3). The exhaust gases that are pushed into the space around the filter (3) will then flow out of the outlet pipe (7) without having passed through the filter (3).

With reference to Figs. 13 and 14, Howe teaches a valve (40), a filter (32), a first flow passage (728), a second flow passage (730), a second filter (758), and an outlet (20). When there is normal flow of exhaust gases, the exhaust gases will move through the valve (40), into the first flow passage (728), through the filter (32), and eventually out the outlet (20). When, however, there is a build up of particles in the filter (32), the valve (40), located before the filter (32), will move to a second position whereby the exhaust gases will flow through a second flow passage (730), to the second filter (758), and eventually out the outlet (20).

Accordingly, claim 1 teaches a valve (4) that is located after the catalyst/filter (2), whereby the exhaust gases first pass through a catalyst/filter (2), and then pass through the valve (4), only if there is build up in the filter (3). In contrast, Howe teaches a valve (40) that is located before the filter (32), whereby all the exhaust gases entering the exhaust processor assembly (710) first pass through the valve (40) before going through either the first or the second filter (32 and 758). As such, Howe fails to anticipate claim 1. Reconsideration is requested.

With reference to its rejection, claim 6 has been amended to recite “Apparatus for containing a particle filter for an exhaust system of a combustion engine comprising”, *inter alia*, “a catalyst and a device operable for causing the exhaust gases to pass through the catalyst during bypassing of the filter; and a valve, located after said catalyst along a path of the exhaust gases, the valve is operable to open when the counterpressure in the exhaust gases is above the set level, for leading exhaust gases from the combustion engine past the filter”. This recitation is similar to that which is contained in claim 1. Accordingly, Howe fails to anticipate claim 6 for at least the same reasons as it fails to anticipate claim 1. Reconsideration is requested.

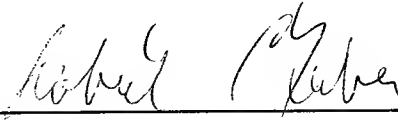
The application is now believed to be in condition for allowance.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert C. Faber", is written over a horizontal line.

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